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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/705,576	11/03/2000	Nancy K. Mullen	10022/99	6665
28164	7590	10/27/2004	EXAMINER	
ACCENTURE CHICAGO 28164 BRINKS HOFER GILSON & LIONE P O BOX 10395 CHICAGO, IL 60610			LIN, KENNY S	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 10/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/705,576	Applicant(s) MULLEN ET AL.	
	Examiner Kenny Lin	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28, 61 and 62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28, 61 and 62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/20/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-28 and 61-62 are presented for examination. Claims 29-60 are canceled.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 62 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brandt et al (hereinafter Brandt), US 5,892,905.
4. Brandt was cited in the previous office action.
5. As per claim 62, Brandt taught the invention substantially as claimed including a data warehouse computing system, comprising:
 - a. A web server connected with a client (fig.2, col.5, lines 38-44), the web server providing a plurality of tools accessible via a common user interface (col.5, lines 52-56, col.6, lines 14-23, col.9, lines 7-16), the plurality of tools being used for a plurality of architectures, the plurality of architectures including:

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- b. A data warehouse architecture, located on at least one of the web server and the client, for distributing data from a data source to an end-user (col.9, lines 7-25, 39-41);
- c. A development architecture, located on at least one of the web server and the client, for designing, implementing, and maintaining the data warehouse computing system (col.9, lines 35-51); and
- d. An operations architecture, located on one of the web server and the client, for supporting the data warehouse architecture and the development architecture (col.6, lines 48-67, col.9, lines 41-44, col.11, lines 65-67, col.12, lines 1-3, lines 31-33).
- e. Wherein said common user interface is configured to present an interactive graphical user interface to said client that provides access to all of said tools and enables design, building and enhancement of the data warehouse computing system with said tools (col.3, lines 56-65, col.5, lines 52-56, col.6, lines 14-23, col.9, lines 7-16).

6. Brandt did not specifically teach that the development architecture reduces the effort and costs involved in the functions. However, Official Notice is taken that both the concept and advantage of using a development architecture that simplifies the implementation and lower maintenance cost is well known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Brandt

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with a development architecture which would lower the cost in maintenance and simplify system implementations.

7. Claims 1-28 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandt et al (hereinafter Brandt), US 5,892,905, in view of Wallent et al (hereinafter Wallent), US 6,366,912, Hanai et al (herein after Hanai), An Integrated Software Maintenance Environment: Bridging Configuration Management and Quality Management, IEEE Computer society press, October 24 1988, pages 40-44, and "Official Notice".

8. Brandt was cited in the previous office action. Hanai was cited by the appliance in IDS.

9. As per claim 1, Brandt taught the invention substantially as claimed including an operations architecture for a data warehouse computing system, the operations architecture being used to design, build and enhance the data warehouse computing system, the operations architecture comprising:

- a. A web server connected with a client (fig.2, col.5, lines 38-44), the web server providing a plurality of tools accessible via a common user interface (col.5, lines 52-56, col.6, lines 14-23, col.9, lines 7-16), the plurality of tools (col.5, lines 52-56, col.6, lines 14-23, col.9, lines 7-16) including:
- b. a event management tool (col.6, lines 48-67), a security tool (col.9, lines 41-44, col.11, lines 65-67, col.12, lines 1-3), a user administration tool (col.12, lines 31-33) in said data warehouse computing system; and

- c. Wherein said common user interface is configured to present an interactive graphical user interface to said client that provides access to all of said tools and enables design, building and enhancement of the data warehouse computing systems with said tools (col.5, lines 52-56, col.6, lines 14-67, col.9, lines 7-16, 35-51).

10. Brandt further taught to include different software applications or tools to provide different functions (col.6, lines 48-67). Brandt did not specifically teach that the client is connected through a firewall with the web server and that the tools include a software distribution tool, a configuration and assert management tool, a fault management and recovery management tool, a capacity planning tool, a performance management tool, a remote management tool, a systems monitoring and tuning tool. Wallent taught to connection client and web server through a firewall (col.1, lines 54-57, col.6, lines 27-39). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Brandt and Wallent because Wallent's teaching of using a firewall help Brandt's system to protect people from breaking into the web server (col.1, lines 54-57).

11. Brandt and Wallent did not specifically teach that the tools include a software distribution tool, a configuration and assert management tool, a fault management and recovery management tool, a capacity planning tool, a performance management tool, a remote management tool, a systems monitoring and tuning tool. Hanai taught an integrated software maintenance method to include tools such as software distribution tool (Configuration management, page 40),

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configuration and assert management tool (Configuration management, page 40), fault management and recovery management tool (ECMS, page 42), capacity planning tool (Conformity, page 41, Upward-Compatibility, page 42), performance management tool (Quality management, page 40), remote management tool (ECMS, page 42), event management tool (ECMS, page 42), systems monitoring and tuning tool (Conformity, page 41), security tool (Conformity, page 41), user administration tool (Conformity, page 41) in said data warehouse computing system. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Brandt, Wallent and Hanai because Hanai's teaching of using different management tools helps Brandt and Wallent's system to perform configuration managements, quality managements and other software maintenance tasks (see Hanai, Introduction, page 40).

12. As per claims 2-18, Brandt, Wallent and Hanai taught the invention substantially as claimed in claim 1. Brandt further taught to include different software applications or tools to provide different functions (col.6, lines 48-67). Brandt, Wallent and Hanai did not specifically teach the functions of all the comprised tools claimed in claims 2-18. However, Official Notice is taken that it would have been obvious for the comprised tools to comprise the specific functions since the comprised tools are specific to particular purposes. For example, it would have been obvious to one of ordinary skill in the art to recognize that a software distribution tool can provide automated delivery and installation of applications, a asset management tool to manage assets, fault management and recovery management tool to detect fault and provide recovery method, performance management tool to monitor the performances for managing

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purpose, license management tool to manage the license information for the software, event management tool to manage events, monitoring and tuning tool to monitor all desire information, security tool to provide security, administration tool to provide administration for users, and help desk tool to provide help for users. Official Notice is taken that the limitation narrowed by these claims are consider obvious and furthermore a matter of design choice to implement functions to the tools that the system comprises to provide more functions and enhance the tools with the advantages of such functions. One of ordinary skill in the art would have been motivated to implement different types of tool with specific functions as a design choice to support the system to satisfy all clients' needs. It would have been obvious to one of ordinary skill in the art at the time the invention was made to select and implement different types of tools that contains multiple functions suitable and available at the time to fully support Brandt, Wallent and Hanai's data warehouse computing system with a design choices of tools (see Brandt, col.6, lines 48-67).

13. As per claims 19-28, since claims 19 and 24 contain the same scope of the combination of claims 1-3, 5-6, 8-11, 13-16 and 18, and claims 20-23 are 25-26 contain the same limitations with claims 4, 7, 12 and 17 respectively. Therefore they are rejected under the same rejection stated in rejecting claims 1-18 above.

14. As per claim 61, Brandt taught the invention substantially as claimed including a data warehouse computing system, comprising:

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- a. A web server connected with a client (fig.2, col.5, lines 38-44), the web server providing a plurality of tools accessible via a common user interface (col.5, lines 52-56, col.6, lines 14-23, col.9, lines 7-16);
- b. An operations architecture located on one of said web server and said client, said operations architecture being used to design, build and enhance the data warehouse computing system (col.3, lines 56-65), said plurality of tools for said operations architecture comprising a event management tool (col.6, lines 48-67), a security tool (col.9, lines 41-44, col.11, lines 65-67, col.12, lines 1-3), a user administration tool (col.12, lines 31-33) in said data warehouse computing system
- c. A development architecture located on one of said web server and said client, said development architecture being used to design, build and enhance the data warehouse computing system (col.3, lines 56-65), said plurality of tools for said development architecture comprising a common user interface between said web server and said client (col.5, lines 52-56, col.6, lines 14-23, col.9, lines 7-16);
- d. Wherein said common user interface is configured to present an interactive graphical user interface to said client that provides access to all of said tools and enables design, building and enhancement of the data warehouse computing system with said tools (col.5, lines 52-56, col.6, lines 14-67, col.7, lines 43-54, col.9, lines 7-16, 35-51).

15. Brandt further taught to include different software applications or tools to provide different functions (col.6, lines 48-67). Brandt did not specifically teach that the client is

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connected through a firewall with the web server and that the tools include a software distribution tool, a configuration and asset management tool, a fault management and recovery management tool, a capacity planning tool, a performance management tool, a remote management tool, an event management tool, a systems monitoring and tuning tool, a security tool, a user administration tool, a process management tool, a quality management tool, an environment management tool, a license management tool, a production control application set and a help desk too supporting said server and said client; a system building tool , a program and project management tool and an information management tool.

16. Wallent taught to connection client and web server through a firewall (col.1, lines 54-57, col.6, lines 27-39). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Brandt and Wallent because Wallent's teaching of using a firewall help Brandt's system to protect people from breaking into the web server (col.1, lines 54-57).

17. Brandt and Wallent did not specifically teach that the tools include a software distribution tool, a configuration and asset management tool, a fault management and recovery management tool, a capacity planning tool, a performance management tool, a remote management tool, an event management tool, a systems monitoring and tuning tool, a security tool, a user administration tool, a process management tool, a quality management tool, an environment management tool, a license management tool, a production control application set and a help desk too supporting said server and said client; a system building tool, a program and project

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management tool and an information management tool. However, Brandt taught to include different software applications or tools to provide different functions (col.6, lines 48-67). Hanai taught an integrated software maintenance method to include tools such as a software distribution tool (Configuration management, page 40), a configuration and asset management tool (Configuration management, page 40), a fault management and recovery management tool (ECMS, page 42), a capacity planning tool (Conformity, page 41, Upward-Compatibility, page 42), a performance management tool (Quality management, page 40), a remote management tool (ECMS, page 42), an event management tool (ECMS, page 42), a systems monitoring and tuning tool (Conformity, page 41), a security tool (Conformity, page 41), a user administration tool (Conformity, page 41), a process management tool (Conformity, page 41), a quality management tool (Introduction, page 40), an environment management tool (ECMS, page 42), a program and project management tool (Conformity, page 41, Upward-Compatibility, page 42) and an information management tool (Conformity, page 41). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Brandt, Wallent and Hanai because Hanai's teaching of using different management tools helps Brandt and Wallent's system to perform configuration managements, quality managements and other software maintenance tasks (see Hanai, Introduction, page 40, see Brandt, col.6, lines 48-67).

18. Brandt, Wallent and Hanai did not specifically teach to include a license management tool, a production control application set and a help desk too supporting said server and said client and a system building tool. However, Official Notice is taken that it would have been obvious to implement these tools to the system to provide more functions and enhance the

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system with the advantages of such tools. One of ordinary skill in the art would have been motivated to implement different types of tool as a design choice to support the system to satisfy all clients' needs. It would have been obvious to one of ordinary skill in the art at the time the invention was made to select and implement different types of tools suitable and available at the time to fully support Brandt, Wallent and Hanai's data warehouse computing system with a design choices of tools (see Brandt, col.6, lines 48-67).

Conclusion

19. Because Applicants have failed to challenge any of the Examiner's "Official Notices" stated in the previous office action in a proper and reasonably manner, they are now considered as admitted prior art. See MPEP 2144.03 C

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mein et al, US 6,457,066.

Luzzi et al, US 6,321,263.

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (703) 305-0438 and will be (571) 272-3968 after October 28, 2004. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl
October 22, 2004

Wen-Jian L
10/22/04